

BK 1377 PG 0199

Prepared by and return to:
ARMSTRONG ALLEN, PLLC
6060 Poplar Avenue Suite 140
Memphis, TN 38119

STATE MS.-DE SOTO CO.
FILED

SEP 5 10 58 AM '01

BK 1377 PG 199
WITNESS

PARTIAL RELEASE OF DEED OF TRUST
TO: THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI

You are hereby authorized and requested to file and record this instrument evidencing the partial release of that certain Deed of Trust executed by NORTH CREEK, INC. to BANKCORP SOUTH, in the original amount of \$975,000.00 dated August 23, 1999, as recorded in Book 1155, Page 442, in the office of the Chancery Clerk of DeSoto County, Mississippi:

The property being released from said Deed of Trust is located and situated in Desoto County, Mississippi and is shown on Exhibit A attached hereto and by reference made a part hereof.

It is the intention of the undersigned to release from said deed of trust only the property described on Exhibit A hereto, and said deed of trust shall otherwise remain in full force and effect.

WITNESS the signature of the undersigned on this the 31 day of August, 2001.

BANKCORP SOUTH

BY: Michael P. Camp SUP

STATE OF MISSISSIPPI
COUNTY OF DESOTO

PERSONALLY appeared before me, the undersigned authority in and for state and county aforesaid, on this the 31st day of August, 2001, the within named Michael P. Camp of BANKCORP SOUTH, who did acknowledge to me that he signed and delivered the above and foregoing Partial Release on the day and year therein mentioned as his free and voluntary act and deed, and for and on behalf of BANKCORP SOUTH, and that he was duly authorized and empowered so to do.

GIVEN under my hand and official seal of office on this the 31st day of August, 2001.

Kathy L. Davidson
Notary Public

My Commission Expires
04/09/2004

K: MARY NORTH CREEK, LLC NORTH REL3

EXHIBIT A

PROPERTY IN DESOTO COUNTY, MISSISSIPPI:

Part of the N/E, S/E, S/W and N/W 1/4 of the N/E 1/4 of Section 20, township 1 South, Range 8 West, Desoto County, Mississippi:

AN 18.14 ACRE TRACT BEING PART OF TRACT 3, A 158.86 ACRE TRACT AS RECORDED IN BOOK 318 PAGE 68 OF CHANCERY CLERKS' OFFICE OF DESOTO COUNTY, MISSISSIPPI.

NORTH CREEK APARTMENTS 18.14 AC±

BEGINNING AT THE NORTHEAST CORNER OF SECTION 20 TOWNSHIP 1 SOUTH RANGE 8 WEST; THENCE N 88°59'11" W A DISTANCE OF 2551.24' TO A POINT; THENCE S 01°00'49" W A DISTANCE OF 1091.43' TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING FOR THIS 18.14 ACRE TRACT; THENCE THE FOLLOWING COURSES:
 S 51°07'09" E A DISTANCE OF 138.88' TO A POINT; THENCE S 64°23'46" E A DISTANCE OF 91.75' TO A POINT; THENCE S 75°38'13" E A DISTANCE OF 94.14' TO A POINT; THENCE S 47°28'46" E A DISTANCE OF 102.97' TO A POINT; THENCE S 03°30'40" W A DISTANCE OF 33.56' TO A POINT; THENCE S 87°32'20" W A DISTANCE OF 43.72' TO A POINT; THENCE S 18°25'20" E A DISTANCE OF 35.85' TO A POINT; THENCE S 77°44'11" E A DISTANCE OF 76.86' TO A POINT; THENCE S 48°35'33" E A DISTANCE OF 63.26' TO A POINT; THENCE S 79°20'20" E A DISTANCE OF 36.63' TO A POINT; THENCE S 65°59'29" E A DISTANCE OF 94.54' TO A POINT; THENCE S 76°37'00" E A DISTANCE OF 134.28' TO A POINT; THENCE S 33°48'37" E A DISTANCE OF 32.38' TO A POINT; THENCE N 57°32'28" E A DISTANCE OF 18.88' TO A POINT; THENCE S 88°46'37" E A DISTANCE OF 32.82' TO A POINT; THENCE S 64°00'25" E A DISTANCE OF 134.87' TO A POINT; THENCE S 73°22'48" E A DISTANCE OF 118.78' TO A POINT; THENCE S 51°29'38" E A DISTANCE OF 47.13' TO A POINT; THENCE N 73°14'33" E A DISTANCE OF 55.44' TO A POINT; THENCE S 49°16'47" E A DISTANCE OF 23.69' TO A POINT; THENCE N 37°32'59" E A DISTANCE OF 24.94' TO A POINT; THENCE N 88°18'46" E A DISTANCE OF 120.74' TO A POINT; THENCE N 64°01'43" E A DISTANCE OF 91.75' TO A POINT; THENCE S 81°51'56" E A DISTANCE OF 48.86' TO A POINT; THENCE S 23°43'32" W A DISTANCE OF 70.58' TO A POINT; THENCE S 08°30'50" E A DISTANCE OF 50.54' TO A POINT; THENCE S 28°22'50" E A DISTANCE OF 73.39' TO A POINT; THENCE S 17°20'53" W A DISTANCE OF 112.57' TO A POINT; THENCE S 24°33'54" E A DISTANCE OF 49.05' TO A POINT; THENCE S 04°29'18" E A DISTANCE OF 95.54' TO A POINT; THENCE N 88°23'50" E A DISTANCE OF 73.39' TO A POINT; THENCE S 28°01'21" W A DISTANCE OF 105.12' TO A POINT; THENCE S 85°18'24" W A DISTANCE OF 62.85' TO A POINT; THENCE S 42°52'36" W A DISTANCE OF 25.88' TO A POINT; THENCE S 13°03'48" W A DISTANCE OF 48.13' TO A POINT; THENCE S 82°42'44" W A DISTANCE OF 23.33' TO A POINT; THENCE S 82°52'10" W A DISTANCE OF 46.33' TO A POINT; THENCE N 85°56'12" W A DISTANCE OF 64.49' TO A POINT; THENCE S 70°05'20" W A DISTANCE OF 73.16' TO A POINT; THENCE N 48°28'08" W A DISTANCE OF 67.14' TO A POINT; THENCE S 76°48'39" W A DISTANCE OF 89.42' TO A POINT; THENCE S 84°17'16" W A DISTANCE OF 154.82' TO A POINT; THENCE N 80°04'35" W A DISTANCE OF 117.51' TO A POINT; THENCE S 77°05'18" W A DISTANCE OF 115.04' TO A POINT; THENCE N 09°27'22" W A DISTANCE OF 55.83' TO A POINT; THENCE S 47°55'11" W A DISTANCE OF 60.87' TO A POINT; THENCE N 76°31'17" W A DISTANCE OF 76.40' TO A POINT; THENCE N 63°14'09" W A DISTANCE OF 85.30' TO A POINT; THENCE N 67°20'55" W A DISTANCE OF 113.05' TO A POINT; THENCE N 52°09'47" E A DISTANCE OF 39.72' TO A POINT; THENCE N 05°39'20" E A DISTANCE OF 164.63' TO A POINT; THENCE N 18°47'37" W A DISTANCE OF 164.04' TO A POINT; THENCE N 13°28'08" W A DISTANCE OF 176.87' TO A POINT; THENCE N 00°30'32" W A DISTANCE OF 53.75' TO A POINT; THENCE N 24°38'04" E A DISTANCE OF 83.28' TO A POINT; THENCE N 27°07'00" W A DISTANCE OF 181.23' TO A POINT; THENCE N 63°25'24" W A DISTANCE OF 31.11' TO A POINT; THENCE S 77°41'10" W A DISTANCE OF 89.01' TO A POINT; THENCE N 34°01'48" W A DISTANCE OF 52.12' TO A POINT; THENCE N 56°43'35" W A DISTANCE OF 40.74' TO A POINT; THENCE N 17°01'17" W A DISTANCE OF 60.47' TO A POINT; THENCE N 31°53'01" W A DISTANCE OF 105.50' TO A POINT AROUND A CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 73°47'49" AN ARC DISTANCE OF 78.19' A CHORD BEARING OF N 81°51'00" E A DISTANCE OF 71.03' TO THE POINT OF BEGINNING CONTAINING 790353.6766 SQUARE FEET OR 18.14 ACRES MORE OR LESS. SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS OF RECORD AND SUBDIVISION REGULATION IN EFFECT FOR THE CITY OF SOUTHAVEN.